

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JUDY D. BROWN

§

v.

§ Civil Action No. 4:21-CV-284

ALIXA RX, LLC, ET AL.

§ (Judge Mazzant/Judge Nowak)

§

§

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 14, 2022, the report of the Magistrate Judge (Dkt. #83) was entered containing proposed findings of fact and recommendations that Defendants Alixa Rx, LLC, Lorraine Dyer, and Kelly Simpson's Motion to Dismiss (Dkt. #10) be granted, that Defendants' Motion to Strike Plaintiff's [Second] Amended Complaint (Dkt. #59) be granted, and that *pro se* Plaintiff Judy D. Brown's claims be dismissed.

Having received the report of the Magistrate Judge, considered Plaintiff's Objections (Dkts. #84; #89) Defendants' Response (Dkt. #91), and Plaintiff's Reply (Dkt. #93), and having conducted a de novo review, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendants Alixa Rx, LLC, Lorraine Dyer, and Kelly Simpson's Motion to Dismiss (Dkt. #10) is **GRANTED**.

It is further **ORDERED** that Alixa Rx, LLC, Lorraine Dyer, and Kelly Simpson's Motion to Strike Plaintiff's [Second] Amended Complaint (Dkt. #59) is **GRANTED**.

It is finally **ORDERED** that Plaintiff Judy D. Brown's claims against Defendants Alixa Rx, LLC, Lorraine Dyer, and Kelly Simpson are **DISMISSED WITH PREJUDICE**.

All relief not previously granted is **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 16th day of March, 2022.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE